

REMARKS

This amendment is in response to the Official Action dated March 17, 2008. Claims 1 and 11 have been amended; as such claims 1-7, 9-12, and 15-17 are now pending in this application. Claims 1 and 11 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the following remarks.

No new matter has been added by this Amendment. Support for the amended claims can be found in the specification as filed. The amendments better identify the roles of the two management apparatuses in the claims.

Rejections under 35 U.S.C. § 103

Claims 1 and 11 have been officially rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 6,594,640 to Postrel et al ("Postrel"), in view of U.S. Patent No. 6,549,912 to Chen and U.S. Patent No. 6,282,522, in further view of U.S. Patent No. 6,282,522 to Davis et al ("Davis").

Postrel discloses a privilege points exchange portal. The trading server 20 disclosed in Postrel acts as a central bartering point between various rewards program servers 10, 12, 14, allowing a user to sell and repurchase rewards points from the various rewards programs (col. 5, ll. 39-43, 63-66). Postrel does not disclose performing settlement processing using an IC card. Moreover, Postrel does not disclose performing settlement processing using a user identifier and a price.

Chen discloses a smart card that provides a loyalty file structure. In Chen, various loyalty file information (e.g., password, file number, label, etc.) is associated with each loyalty file and stored in the smart card.

Davis discloses a smart card payment system for purchasing goods or services online. In Davis, a client terminal with a smart card reader is used to transact with merchants who agree to smart card payments for their goods. Payments are routed through a payment server, which uses the

information associated with the smart card to provide funds to a merchant in exchange for the bartered goods.

Claim 1 recites: *A communication system comprising:*

a first management apparatus for managing and settling a first transaction in a virtual world, and generating a first privilege information generated in accordance with the first transaction conducted between the first management apparatus and a user via a network in the virtual world using a user identifier that identifies the user in such a manner that the first privilege information and the user identifier are correlated with each other,

wherein the user identifier is stored in and uniquely associates the user to an IC card and the first transaction is made using the IC card; and

a second management apparatus for managing and settling a second transaction in a real world, and generating a second privilege information that is generated in accordance with the second transaction conducted between the second management apparatus and the user in the real world, and using the user identifier in such a manner that the second privilege information and the user identifier are correlated with each other,

wherein the second transaction includes a settlement processing based on the user identifier and a price, and is also made using the IC card, and

wherein the second management apparatus converts the first privilege information that is managed by the first management apparatus into privilege information managed by the second management apparatus according to a prescribed conversion factor, and manages the privilege information obtained by the result of the conversion, such that the first privilege information is automatically converted to the second privilege information and added to a total of the second privilege information for the user when the user conducts transactions in the virtual world using the IC card.

With respect to claim 1, Applicant submits that neither Postrel, Chen, nor Davis teach or suggest “*a first management apparatus for managing and settling a first transaction in a virtual world, and generating a first privilege information... and... a second management apparatus for managing and settling a second transaction in a real world...such that the first privilege information is automatically converted to the second privilege information and added to a total of the second privilege information for the user when the user conducts transactions in the virtual world using the IC card.*”

Applicant submits that Postrel discloses a technique wherein a user manually transacts to sell and repurchase rewards points between different rewards programs by actively engaging in transactions. Postrel does not teach or suggest a system that automatically consolidates rewards points from transactions settled by management apparatuses.

By contrast, claim 1 recites that the system automatically converts and consolidates the virtual privilege information and real world privilege information. None of the cited references disclose such automatic point converting system.

Applicant further submits that the examiner has failed to reject Applicant's **claimed invention** and therefore has not created a *prima facie* case against patentability.

For example, with respect to claim 1, the Examiner has not identified, nor do any of the references teach or suggest, *a first privilege information associated with virtual world transactions from a second privilege information associated with real world transactions*. Similarly, the Examiner has not identified, nor do any of the references teach or suggest how the virtual and real world distinction exists with respect to a first management apparatus and a second management apparatus that manage the first and second privilege information, respectively.

The MPEP sets forth that “[d]istilling an invention down to the “gist” or “thrust” of an invention disregards the requirement of analyzing the subject matter “as a whole.” *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984) (restricting consideration of the claims to a 10% per second rate of stretching of unsintered PTFE and disregarding other limitations resulted in treating claims as though they read differently than allowed).” MPEP § 2141.02.

On page 6, the Examiner explains that the different references will not include the same exact language to describe similar elements, and that citations have been provided to bridge the gap between the different references. While applicant agrees with the Examiner's reasoning, Applicant maintains that the prior art fails to disclose a comparable pair of managing apparatuses and that the claim rejections fail to identify such apparatuses. This is evidenced by the fact that the Page 3

rejects the first management apparatus by citing generally to online transactions and not to a specific server or device.

Chen does not remedy the deficiencies of Postrel. As set forth above, Chen discloses a smart card that provides a loyalty file structure. In Chen, various loyalty file information (e.g., password, file number, label, etc.) is associated with each loyalty file and stored in the smart card. As with Postrel, there is no disclosure or suggestion that *"the transaction conducted by the user in the real world includes a settlement processing based on the user identifier and a price,"* as recited in independent claim 1. In fact, as understood by Applicant, there is no mention whatsoever of any type of conversion of the loyalty file information to price.

Davis does not remedy the deficiencies of Postrel and Chen. As with Postrel, there is no disclosure or suggestion of *"the transaction conducted by the user in the real world includes a settlement processing based on the user identifier and a price,"* as recited in independent claim 1. In fact, as understood by Applicant, there is no mention whatsoever of any type of privilege information or conversion thereof.

Since, whether taken alone or in any combination, the references fail to disclose features recited in independent claim 1, a *prima facie* case of obviousness for that claim has not been established.

For reasons similar to those provided regarding claim 1, independent claim 11 is also neither disclosed nor suggested by the relied upon references. The dependent claims are also distinct from the relied upon references, for their incorporation of the features recited in the respective independent claims, as well as the patentably distinct features separately recited therein.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) as being unpatentable over Postrel in view of Chen, in further view of Davis.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2200 from which the undersigned is authorized to draw.

Dated: April 18, 2008

Respectfully submitted,

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